

**ORDINANCE No. \_\_\_\_\_, SERIES 2007**

**AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO R5-A MULTI FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 4800-R AND 4806 MANSLICK ROAD, CONTAINING 5.70 ACRES, AND BEING IN LOUISVILLE METRO (DOCKET NO. 9-08-07) (AS AMENDED).**

**SPONSORED BY: COUNCILMAN TOM OWEN**

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Commission and its staff as set out in the minutes and records of the Planning Commission in Docket No. 9-08-07; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Docket No. 9-08-07 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records, with the modified and additional binding elements set forth below;

**NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**Section I:** That the property located at 4800-R and 4806 Manslick Road, containing 5.70 acres and being in Louisville Metro, more particularly described in the minutes and records of the Planning Commission in Docket No. 9-08-07 is hereby changed from R-4 Single Family Residential to R5-A Multi Family Residential, provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Docket No. 9-08-07, and the following modified and additional binding elements.

12. ~~The materials and design of the proposed structures shall be substantially the same as depicted in the rendering as presented at the June 7, 2007 Planning Commission~~

meeting. With the exception of vinyl accents, soffits and trim, buildings shall feature 100% brick exteriors as shown in the renderings presented at the June 5, 2007 Planning Commission public hearing.

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18. Improvements to Manslick Road as required by the Kentucky Transportation Cabinet and Metro Public Works shall be completed prior to the issuance of the third building permit for construction of a residential unit.

19. The applicant shall submit a revised plan within 60 days of final legislative approval showing the removal of Private Road C.

20. The building closest to the property located at 1402 Dellwood Drive shall be moved three feet away from the Dellwood Drive property line to result in an approximately 18-foot setback. The Applicant shall install a continuous evergreen screen along the Dellwood Drive property line to provide a buffer between existing residential property and the development site. The Applicant shall work with the owner of 1402 Dellwood Drive to develop a supplemental landscaping plan to install additional landscape materials on the 1402 Dellwood Drive side of the evergreen screen. This supplemental landscaping plan shall be finalized and approved by the staff landscape architect within 60 days after the final approval by the legislative body. To the extent the supplemental landscape materials are located on the property at 1402 Dellwood Drive, the owner of that property shall be responsible for the maintenance of the landscaping.

21. The Applicant will work with the staff landscape architect to develop a landscaping plan to screen the units along Manslick Road from the roadway. This can be achieved through clustering of plantings, a continuous screen where appropriate, or other similar measures.

**Section II:** This Ordinance shall take effect upon passage and approval.

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Kathleen J. Herron  
Metro Council Clerk

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Rick Blackwell  
President of the Council

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Jerry Abramson  
Mayor

Approved: \_\_\_\_\_  
Date

**APPROVED AS TO FORM AND LEGALITY:**

Irv Maze  
Jefferson County Attorney

By: \_\_\_\_\_